

Message Text

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PAGE 01 STATE 302257
ORIGIN SCSE-00

INFO OCT-01 ISO-00 L-03 (ISO) R

DRAFTED BY SCA/SCS:EMARNOLD:SJD
APPROVED BY SCA/SCS:AFFOWLER
----- 120527 /61

R 132158Z DEC 76
FM SECSTATE WASHDC
TO USMISSION GENEVA
INFO AMEMBASSY BERN
AMCONSUL STRASBOURG
AMCONSUL STUTTGART

UNCLAS STATE 302257

E.O. 11652: N/A

TAGS: CDES, FR, (DEVIN, GERALD BARKER)

SUBJECT: ESTATE OF GERALD B. DEVIN

REF: GENEVA 9688 (NOTAL); STUTTGART 1574 (NOTAL)

1. AS NOTED IN 7 FAM 444.9, DEPT NOT RPT NOT IN POSITION TO RELIEVE CONOFFS OF ANY PART OF THEIR DUTIES AND RESPONSIBILITIES, AS DEFINED IN 22 USC 1175, IN THE CONSERVATION AND SETTLEMENT OF PERSONAL ESTATES OF DECEASED USC'S. THEREFORE, DEPT CANNOT AUTHORIZE CONOFF TO DONATE HOUSEHOLD GOODS OR PERSONAL EFFECTS. STATUTE AND REGULATIONS PERMIT CONOFF TO DISPOSE OF PERSONAL EFFECTS RPT PERSONAL EFFECTS (AS DEFINED 22 CFR 72.28 AND 7 FAM 445.1) ONLY AT END OF ONE YEAR FROM DATE OF DEATH THEN ONLY AT AUCTION IN MANNER PRESCRIBED IN 22 USC 1175, 22 CFR 72.43 AND 72.44; OR, IF UNCLAIMED IN MANNER PRESCRIBED IN 22 CFR 72.48 AND 72.46, 7 FAM 446.

2. IF CONOFF TAKES POSSESSION OF HOUSEHOLD GOODS IN APT., ITEMS SHOULD BE INVENTORIED AND APPRAISED (7 FAM 445.4) BEFORE DISPOSITION. IT APPEARS THAT DEVIN WAS RESIDENT IN SWITZERLAND. BEFORE TAKING ANY ACTION TO TAKE POSSESSION OF AND DISPOSE OF HOUSEHOLD GOODS, CONOFF SHOULD DETERMINE UNCLASSIFIED

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PAGE 02 STATE 302257

WHAT SWISS LAW PROVIDES IN THESE CIRCUMSTANCES. IS THERE A PUBLIC ADMINISTRATOR SYSTEM IN SWITZERLAND TO HANDLE ESTATES OF RESIDENTS WHO DIE INTESTATE AND WITHOUT APPARENT HEIRS? IF NOT, HOW ARE SUCH ESTATES HANDLED? CONOFF SHOULD CONTACT NOTARY BEFORE WHOM POWERS OF ATTY IN BEHALF MRS. REINER WERE EXECUTED. NOTARY MAY HAVE INFO RE DEVIN'S PERSONAL AFFAIRS. CONOFF SHOULD ALSO INQUIRE AT SWISS BANK TO DETERMINE IF SAFETY DEPOSIT BOX AND/OR LAST WILL AND TESTAMENT MAY BE DEPOSITED THERE.

3. ALTHOUGH BANK ACTS NOT PART OF ESTATE FOR WHICH CONOFF ACTS AS PROVISIONAL CONSERVATOR, IN VIEW DEVIN'S DEATH WOULD MRS. REINER'S POWERS OF ATTY STILL BE VALID OR ARE BANK ACTS OF DECEASED PERSONS SEALED UNDER GERMAN AND/OR SWISS LAW? KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 13 DEC 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE302257
Document Source: CORE
Document Unique ID: 00
Drafter: EMARNOLD:SJD
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760459-1177
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761247/aaaabosk.tel
Line Count: 76
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN SCSE
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 76 GENEVA 9688, 76 STUTTGART 1574
Review Action: RELEASED, APPROVED
Review Authority: schwenja
Review Comment: n/a
Review Content Flags:
Review Date: 10 JUN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <10 JUN 2004 by hattaycs>; APPROVED <17 AUG 2004 by schwenja>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ESTATE OF GERALD B. DEVIN
TAGS: CDES, FR, (DEVIN, GERALD BARKER)
To: GENEVA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006